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BELL BOYD & LLOYD LLC
P O BOX 1135
CHICAGO, IL 60690-1135

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JUL 08 2004

In re Application of
Kazuhiko Hachiya et al
Application No. 08/992,770
Filed: December 17, 1997
Attorney Docket No. SONY-6900

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: **OFFICE OF PETITIONS**
: **DECISION ON PETITION**
: **UNDER 37 CFR 1.313(c)(2)**
:

This is a decision on the petition under 37 CFR 1.313(c)(2), filed July 6, 2004, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED as moot**.

Unfortunately, the instant petition was filed too late to avert the issuance of the above-identified application into a patent.

Petitioner's attention is directed to 37 CFR 1.313(d), which states:

A petition under this section will not be effective to withdraw the application from issue unless it is actually received and granted by the appropriate officials **before the date of issue**.

Since this application has issued, the concurrently filed request for continued examination (RCE) is improper and will not be processed. No fee has been assessed to either the RCE or the petition to withdraw from issue.

The Information Disclosure Statement has been placed in the file of the above-identified application without further consideration. See 37 CFR 1.97(i).

Telephone inquiries should be directed to the undersigned at (703) 305-8680.



Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy